IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9889 OF 2004

M/s.Choudhary Steel
& Alloys Ltd. & Ors. .. Petitioners.
Vs.
M/s.Bhushan Steel
& Strips Ltd. .. Respondents.

Mr.K.R.Pandey for the petitioners.
Mr.N.K.Mundnaney for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 17TH DECEMBER, 2004

P.C.:

. Heard Mr.Pandey, learned counsel for the petitioners and Mr.Mundnaney, learned counsel for the respondents.

2. Mr.Pandey, learned counsel for the petitioners at the outset submitted that he has instructions not to press this writ petition and the petitioners would be satisfied if the Court Commissioner is given directions to make report as to the structures standing on the disputed portion of the land. Mr.Mundnaney, learned counsel for the respondents have no objection for giving such directions to the Court Commissioner. Hence I pass

the following order:

(a) The writ petition is disposed of as not pressed.

(b) The Court Commissioner while carrying out the commission work shall also make reference to the structures, if any, standing on the suit land. Needless to state that the Court Commissioner shall not express his opinion as to whether the structures, if any, standing on the suit land are authorised or unauthorised.

. The petition is, accordingly, disposed of.

(D.B.Bhosale, J.)